

# Exhibit F

---

**From:** Tilker, Brian W. <bwt@torkildson.com>  
**Sent:** Friday, July 19, 2019 4:14 PM  
**To:** Justin Brackett  
**Cc:** Rask, Erik A; Abigail M. Holden  
**Subject:** RE: Olivas - Supplemental Interrogatory Responses

Justin,

When is Ms. Olivas moving? My notes indicate a few outstanding issues that would need to be addressed prior to any deposition taking place (assuming we can find a mutually convenient date/time):

1. Plaintiff has still not addressed the Magnuson Moss damages interrogatory deficiencies.
2. RFP # 17 sought "copies of any warranties, service contracts or maintenance contracts applicable to the subject vehicle." We do not see any such documents in Plaintiff's production. Please either direct us to the documents that you believe are responsive or confirm that no such documents are in Plaintiff's possession, custody or control.
3. Please confirm that Plaintiff is representing that she has produced all documents in her possession, custody and control that are responsive to our first request for production.

Thanks. Brian.

TORKILDSON  
KATZ  
HETHERINGTON  
HARRIS &  
KNOREK  
ATTORNEYS AT LAW,  
A LAW CORPORATION

BRIAN W. TILKER | Attorney at Law  
700 Bishop Street, 15<sup>th</sup> Floor  
Honolulu, Hawai'i 96813  
p: 808.523.6000 | f: 808.523.6001  
[bwt@torkildson.com](mailto:bwt@torkildson.com) | [www.torkildson.com](http://www.torkildson.com)

This email message and any attachments are for the sole use of the intended recipient(s). Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message and any attachments.

**From:** Justin Brackett <justinbrackettlaw@gmail.com>  
**Sent:** Friday, July 19, 2019 2:49 PM  
**To:** Tilker, Brian W. <bwt@torkildson.com>  
**Cc:** Rask, Erik A <ear@torkildson.com>; Abigail M. Holden <aholden@cfhawaii.com>  
**Subject:** Re: Olivas - Supplemental Interrogatory Responses

Aloha Defense Counsel,

Here is the updated verification. She emailed it to me today. Let me know if this is sufficient or if you need me to send you the original upon receipt from Ms. Olivas in the mail.

Please advise of when you would like to take her deposition in the coming weeks before she moves off island.

Sincerely,

Justin A. Brackett, Esq.  
515 Ward Avenue  
Honolulu, HI 96814  
(808) 377-6778

CONFIDENTIALITY and ANTI-SIGNATURE STATEMENT

This e-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C.A. §2510 et seq., and is legally protected. The information contained in this e-mail and any attachments is intended only for use by the individual (or entity) for whom it was composed and intended-not necessarily to whom it was sent. This e-mail message contains information from the law firm of **Justin A. Brackett, Attorney At Law** and may be privileged, confidential, and prohibited from disclosure under applicable rule or law. To the extent that anything contained herein is privileged, you are notified that **Justin A. Brackett, Attorney At Law** has disclosed such inadvertently and should not be construed to be a voluntary disclosure. You are hereby notified that any use, disclosure, dissemination, distribution, copying or storage of this communication is strictly prohibited. Unless expressly stated to the contrary in this e-mail, nothing herein should be construed as a digital or electronic signature. If you have received this information in error, please notify our firm's Chief of Operations immediately by telephone at [\(808\) 377-6778](tel:8083776778), and then fully delete this message from your computer system and destroy any hard copies you may have.

On Thu, Jul 11, 2019 at 11:48 AM Justin Brackett <[justinbrackettlaw@gmail.com](mailto:justinbrackettlaw@gmail.com)> wrote:

Thanks for the feedback and understanding. I will get you an updated version ASAP.

Sincerely,  
Justin A. Brackett, Esq.  
515 Ward Avenue  
Honolulu, HI 96814  
(808) 377-6778

CONFIDENTIALITY and ANTI-SIGNATURE STATEMENT

This e-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C.A. §2510 et seq., and is legally protected. The information contained in this e-mail and any attachments is intended only for use by the individual (or entity) for whom it was composed and intended-not necessarily to whom it was sent. This e-mail message contains information from the law firm of **Justin A. Brackett, Attorney At Law** and may be privileged, confidential, and prohibited from disclosure under applicable rule or law. To the extent that anything contained herein is privileged, you are notified that **Justin A. Brackett, Attorney At Law** has disclosed such inadvertently and should not be construed to be a voluntary disclosure. You are hereby notified that any use, disclosure, dissemination, distribution, copying or storage of this communication is strictly prohibited. Unless expressly stated to the contrary in this e-mail, nothing herein should be construed as a digital or electronic signature. If you have received this information in error, please notify our firm's Chief of Operations immediately by telephone at [\(808\) 377-6778](tel:8083776778), and then fully delete this message from your computer system and destroy any hard copies you may have.

On Thu, Jul 11, 2019 at 11:00 AM Tilker, Brian W. <[bwt@torkildson.com](mailto:bwt@torkildson.com)> wrote:

Thank you but this is neither a statement under penalty of perjury nor a notarized verification under oath. Also since it is a standalone document it needs to either specifically identify the document being verified or it needs to be sent with the supplemental responses as a single document so we have a clean record. If Ms. Olivas is not feeling well I understand this may not get done until next week.

Best, Brian

TORKILDSON  
KATZ  
HETHERINGTON  
HARRIS &  
KNOREK

ATTORNEYS AT LAW,  
A LAW CORPORATION

Brian W. Tilker | Attorney at Law

700 Bishop Street, 15<sup>th</sup> Floor

Honolulu, Hawai'i 96813

p: 808.523.6000 | f: 808.523.6001

[bwt@torkildson.com](mailto:bwt@torkildson.com) | [www.torkildson.com](http://www.torkildson.com)

This email message and any attachments are for the sole use of the intended recipient(s). Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message and any attachments.

**From:** Justin Brackett <[justinbrackettlaw@gmail.com](mailto:justinbrackettlaw@gmail.com)>

**Sent:** Thursday, July 11, 2019 10:44 AM

**To:** Tilker, Brian W. <[bwt@torkildson.com](mailto:bwt@torkildson.com)>

**Cc:** Rask, Erik A <[ear@torkildson.com](mailto:ear@torkildson.com)>; Abigail M. Holden <[aholden@cfhawaii.com](mailto:aholden@cfhawaii.com)>

**Subject:** Re: Olivas - Supplemental Interrogatory Responses

Mr. Tilker,

Attached is Ms. Olivas' Verification to the Supplemental Responses to the Requests for Answers to Interrogatories. I will relay your message to Mr. Brackett.

Sincerely,

Amy Peria

Paralegal

Justin A. Brackett, Attorney At Law

515 Ward Avenue

Honolulu, HI 96814

(808) 377-6778

## CONFIDENTIALITY and ANTI-SIGNATURE STATEMENT

This e-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C.A. §2510 et seq., and is legally protected. The information contained in this e-mail and any attachments is intended only for use by the individual (or entity) for whom it was composed and intended-not necessarily to whom it was sent. This e-mail message contains information from the law firm of **Justin A. Brackett, Attorney At Law** and may be privileged, confidential, and prohibited from disclosure under applicable rule or law. To the extent that anything contained herein is privileged, you are notified that **Justin A. Brackett, Attorney At Law** has disclosed such inadvertently and should not be construed to be a voluntary disclosure. You are hereby notified that any use, disclosure, dissemination, distribution, copying or storage of this communication is strictly prohibited. Unless expressly stated to the contrary in this e-mail, nothing herein should be construed as a digital or electronic signature. If you have received this information in error, please notify our firm's Chief of Operations immediately by telephone at [\(808\) 377-6778](tel:(808)377-6778), and then fully delete this message from your computer system and destroy any hard copies you may have.

On Thu, Jul 11, 2019 at 7:42 AM Tilker, Brian W. <[bwt@torkildson.com](mailto:bwt@torkildson.com)> wrote:

Aloha Justin,

No, we are not looking for a legal opinion. We are looking for an answer that indicates the categories of damages allegedly suffered and the amount of those categories of alleged damages to the extent Ms. Olivas has personal knowledge. By way of example, and without waiver of any and all defenses, if Ms. Olivas is claiming that due to a violation of Magnuson-Moss she was damaged due to the need to take alternative transportation then she could state that and note the amount she has expended to date. If Ms. Olivas is claiming that due to a violation of Magnuson-Moss she suffered from inconvenience, she can state that *and so on*..... Obviously she can also categorize the \$40,448.76 number with a concrete breakdown as well.

These are things she would know because she would be seeking them as damages suffered. If there is an amount for a particular category that you determine is not amenable to a concrete calculation at this time (perhaps because it is non-economic in nature) then I think you can simply state the category and then note that it is to be determined at trial. But we are entitled to know the categories and the amounts when they are amenable to a calculation.

I can be available for a meet-and-confer on Monday morning unless you feel the above helps clarify what needs to be supplemented.

Best, Brian

TORKILDSON  
KATZ  
HETHERINGTON  
HARRIS &  
KNOREK

ATTORNEYS AT LAW,  
A LAW CORPORATION

Brian W. Tilker | Attorney at Law

700 Bishop Street, 15<sup>th</sup> Floor

Honolulu, Hawai'i 96813

p: 808.523.6000 | f: 808.523.6001

[bwt@torkildson.com](mailto:bwt@torkildson.com) | [www.torkildson.com](http://www.torkildson.com)

This email message and any attachments are for the sole use of the intended recipient(s). Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message and any attachments.

**From:** Justin Brackett <[justinbrackettlaw@gmail.com](mailto:justinbrackettlaw@gmail.com)>

**Sent:** Wednesday, July 10, 2019 6:19 PM

**To:** Tilker, Brian W. <[bwt@torkildson.com](mailto:bwt@torkildson.com)>

**Cc:** Rask, Erik A <[ear@torkildson.com](mailto:ear@torkildson.com)>; Abigail M. Holden <[aholden@cfhawaii.com](mailto:aholden@cfhawaii.com)>

**Subject:** Re: Olivas - Supplemental Interrogatory Responses

Ms. Olivas is on bed rest pursuant to doctor's orders. She provided the responses via email and we are working on getting her verification now.

The response to Interrogatory number 24 is from Ms. Olivas. Are you looking for a legal opinion instead of a response from the client?

Finally, I am in a Wilderness First Aid Course this weekend and will be out of the office all day Friday. If you would like to conduct a meet and confer, I can make myself available early next week.

Sincerely,

Justin A. Brackett, Esq.

515 Ward Avenue

Honolulu, HI 96814

(808) 377-6778

CONFIDENTIALITY and ANTI-SIGNATURE STATEMENT

This e-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C.A. §2510 et seq., and is legally protected. The information contained in this e-mail and any attachments is intended only for use by the individual (or entity) for whom it was composed and intended-not necessarily to whom it was sent. This e-mail message contains information from the law firm of **Justin A. Brackett, Attorney At Law** and may be privileged, confidential, and prohibited from disclosure under applicable rule or law. To the extent that anything contained herein is privileged, you are notified that **Justin A. Brackett, Attorney At Law** has disclosed such inadvertently and should not be construed to be a voluntary disclosure. You are hereby notified that any use, disclosure, dissemination, distribution, copying or storage of this communication is strictly prohibited. Unless expressly stated to the contrary in this e-mail, nothing herein should be construed as a digital or electronic signature. If you have received this information in error, please notify our firm's Chief of Operations immediately by telephone at [\(808\) 377-6778](tel:8083776778), and then fully delete this message from your computer system and destroy any hard copies you may have.

On Wed, Jul 10, 2019 at 1:35 PM Tilker, Brian W. <[bwt@torkildson.com](mailto:bwt@torkildson.com)> wrote:

Justin,

We are in receipt of the supplemental interrogatory response. Please let us know when we can expect to receive Plaintiff's verification page.

Also, please let us know if it is Plaintiff's position that her Supplemental Response to Interrogatory No. 24 is responsive. We asked for Plaintiff to identify categories of damages she seeks to recover as part of the Eighth Claim for Relief and an itemization or breakdown of the amount of damages for each category. The supplemental response merely states "[t]he car is defective and Defendants have not complied with their written warranties." We deem this non-responsive. Your Pretrial Statement states, for Count 8, "That judgment be awarded to Plaintiff in the amount of \$40,448.76 together with additional damages to be determined."

What types of "additional damages" are you claiming? This would be something that Plaintiff would already know.

Please provide responsive information by close of business on Friday. If you decline, then we can have a final meet and confer before end of day Friday to see if this can be worked out.

Best, Brian

TORKILDSON  
KATZ  
HETHERINGTON  
HARRIS &  
KNOREK

ATTORNEYS AT LAW,  
A LAW CORPORATION

Brian W. Tilker | Attorney at Law

700 Bishop Street, 15<sup>th</sup> Floor

Honolulu, Hawai'i 96813

p: 808.523.6000 | f: 808.523.6001

[bwt@torkildson.com](mailto:bwt@torkildson.com) | [www.torkildson.com](http://www.torkildson.com)

This email message and any attachments are for the sole use of the intended recipient(s). Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message and any attachments.